



January 12, 2009

Mr. Charles Terreni  
Chief Clerk/Administrator  
South Carolina Public Service Commission  
101 Executive Drive  
Columbia, SC 29210

RE: Docket No. 2008-251-E

Dear Mr. Terreni:

Please accept this letter as additional support for Progress Energy Carolinas, Inc.'s ("PEC") Motion to Deny the Petition to Intervene of the Southern Environmental Law Center, Natural Resources Defense Council, Coastal Conservation League and Southern Alliance for Clean Energy. By Order No. 91-273 issued by the Commission in Docket No. 90-698-C, the Commission denied the Motion of the South Carolina Cable Television Association ("SCCTA") for Permission to Intervene Out of Time. The Commission held that an intervention that is untimely must be supported by good reason. SCCTA provided no such justification. The facts supporting the Commission's decision in the SCCTA case are very similar to those presented in this proceeding. In both cases the petitioner had been aware of the proceeding for an extended period of time, both petitioners provided no justification for their delay in seeking to intervene, and the applicant in both cases (GTE South in the case of Docket No. 90-698-C and PEC in this case) would be prejudiced by such late intervention as there is little time remaining to conduct discovery on the petitioners. Thus, PEC reaffirms its Motion to Deny the Petition to Intervene of the Southern Environmental Law Center, Natural Resources Defense Council, Coastal Conservation League and Southern Alliance for Clean Energy.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'Len S. Anthony', written over a light blue horizontal line.

Len S. Anthony  
General Counsel  
Progress Energy Carolinas, Inc.

LSA:mhm

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**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2008-251-E**

IN RE: )  
Application of Carolina Power and Light )  
Company d/b/a Progress Energy Carolinas, )  
Incorporated for the Establishment of )  
Procedures for DSM/EE Programs )

**CERTIFICATE OF SERVICE**

I, Len S. Anthony, hereby certify that Progress Energy Carolinas, Inc.'s letter supporting Motion to Deny Petition to Intervene of the Southern Environmental Law Center, the Coastal Conservation League, Natural Resources Defense Council and Southern Alliance for Clean Energy has been served on all parties of record either by hand delivery, email, or by depositing said copy in the United States mail, postage prepaid, addressed as follows:

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This 12<sup>th</sup> day of January, 2009.

  
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Len S. Anthony  
General Counsel